

**AN ORDINANCE  
BY COUNCILMEMBER C. T. MARTIN**

**AN ORDINANCE TO AMEND THE PENSION ACTS APPLICABLE TO MEMBERS OF THE GENERAL EMPLOYEES PENSION FUND OF THE CITY OF ATLANTA, SO AS TO PROVIDE FOR A RETIREMENT PROGRAM FOR EMPLOYEES INVOLUNTARILY SEPARATED TO BALANCE THE CITY OF ATLANTA 2009 AND 2010 FISCAL YEAR BUDGETS AND FOR REORGANIZATION OF THE WORKFORCE; AND FOR OTHER PURPOSES.**

**WHEREAS**, departments within the City of Atlanta have and may undergo a Reduction in Force (RIF) due to the budget cutbacks for the 2009 and 2010 Fiscal Year Budgets, and

**WHEREAS**, the City of Atlanta desires to minimize the impact of a reduction in its workforce on long term employees.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS**, as follows:

**SECTION 1:** that Georgia Laws 1927, p. 265, as amended by Georgia Laws 1978, p. 4546, is hereby further amended by adding additional subsections which shall provide as follows:

(a) Any officer or employee who is a member of the General Employees Pension Fund, who shall have served at least 15 years in the active service of the City, and who is involuntarily separated due to or in association with the Reduction in Force (RIF) between June 1, 2008 and June 30, 2010, may elect to take a monthly retirement benefit to be computed as follows: Said monthly retirement benefit shall be equal to a normal monthly pension benefit less one-fourth (1/4) of one percent (1 %) per month for each month not to exceed 60 months that the officer or employee lacks in being 60 years of age, and one-eighth (1/8) of one percent (1 %) per month for each month in excess of 60 months that the officer or employee lacks in being 60 years of age.

(b) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action, between June 1, 2008 and June 30, 2010 and has already applied for and/or has been granted a service pension, may make written application to the Pension Office within the two year reemployment rights period to receive the benefit authorized in subsection (a) of this Ordinance.

(c) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action between June 1, 2008 and June 30, 2010 and has applied for and received a refund of his/her pension contribution, may, within the two year reemployment rights period, repay said contribution plus interest at a rate of (7%) seven percent per annum from the date of withdrawal of his/her contribution, to the date that he/she makes written application to the Pension Office for the purpose of receiving the benefit authorized in subsection (a) of this Ordinance.

(d) This ordinance shall not apply to officers or employees who are rehired by the City of Atlanta or whose services are retained by the City pursuant to a contract; nor shall this ordinance apply to officers or employees who reject or have rejected an offer of reemployment made by the City, to a position comparable to that from which the officer or employee was RIFFED or involuntarily separated in conjunction with the budgetary needs

or other purposes. For officers or employees who were RIFFED or so involuntarily separated prior to the enactment of this ordinance, said enactment hereof. For officers or employees who are RIFFED or so involuntarily separated prior to the enactment of this ordinance, said offer of reemployment must be made within six (6) months of the enactment hereof. For officers or employees who are RIFFED or so involuntarily separated subsequent to the enactment of this ordinance, said offer of reemployment must be made within six (6) months of the date of separation of any such officer or employee. For purposes of this subsection, a "comparable position" shall be defined as one for which the compensation is equal to or no less than 90% of the compensation earned by such officer or employee at the time of separation.

**SECTION 2:** That the Chief Financial Officer or designee be authorized to transfer expenses between various departments' personnel line items to accommodate the inequity from the Early Retirement Program savings realized between departments.